In the Claims:

The following listing reflects amendments to the claims and replaces all prior versions and listings of claims in this application.

1. (Currently amended) A human cytomegalovirus (hCMV) Intron A fragment, wherein said fragment ~~lacks~~ has an internal deletion of at least 10 nucleotides of the full-length Intron A sequence and comprises: (a) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 1-25, inclusive, of Figure 1A, and (b) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 775-820, inclusive, of Figure 1A, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

2. (Currently amended) The Intron A fragment of claim 1, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels at least two-fold greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

3. (Currently amended) The Intron A fragment of claim 1, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels at least ten-fold greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

4. (Currently amended) The Intron A fragment of claim 1, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels at least fifty-fold greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

5. (Currently amended) The Intron A fragment of claim 1, wherein said fragment comprises: (a) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 1-51, inclusive, of Figure 1A, and (b) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 741-820, inclusive, of Figure 1A, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

6. (Currently amended) The Intron A fragment of claim 5, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels at least two-fold greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

7. (Currently amended) The Intron A fragment of claim 5, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels at least ten-fold greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

8. (Currently amended)The Intron A fragment of claim 5, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels at least fifty-fold greater than those levels achieved by a corresponding construct that completely lacks an Intron A sequence.

9. (Original) The Intron A fragment of claim 5, wherein said fragment comprises the sequence of nucleotides 1-51, inclusive, of Figure 1A, linked to nucleotides 741-820, inclusive, of Figure 1A.

10. (Original) The Intron A fragment of claim 5, wherein said fragment comprises the Intron A nucleotide sequence depicted in Figure 1C, or a nucleotide sequence with at least about 75% sequence identity thereto.

11. (Original) The Intron A fragment of claim 10, wherein said fragment consists of the Intron A nucleotide sequence depicted in Figure 1C.

12. (Currently amended) A human cytomegalovirus (hCMV) Intron A fragment, wherein said fragment ~~lacks~~ has an internal deletion of at least 10 nucleotides of the full-length Intron A sequence and comprises: (a) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 1-25, inclusive, of Figure 1A, and (b) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 775-820, inclusive, of Figure 1A, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels equal to, or greater than, those levels achieved by an expression construct that includes a corresponding intact, full-length Intron A sequence.

13. (Currently amended) A human cytomegalovirus (hCMV) Intron A fragment, wherein said fragment ~~lacks~~ has an internal deletion of at least 10 nucleotides of the full-length Intron A sequence and comprises: (a) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 1-51, inclusive, of Figure 1A, and (b) a sequence of nucleotides having at least about 75% sequence identity to the contiguous sequence of nucleotides found at positions 741-820, inclusive, of Figure 1A, wherein when said fragment is present in an expression construct, the expression construct ~~achieves expression~~ directs the transcription of a coding sequence present in the construct at levels equal to, or greater than, those levels achieved by an expression construct that includes a corresponding intact, full-length Intron A sequence.

14. (Original) A recombinant expression construct effective in directing the transcription of a selected coding sequence, said expression construct comprising:

(a) a coding sequence;

(b) control elements that are operably linked to said coding sequence, wherein said control elements comprise the Intron A fragment of claim 1,

whereby said coding sequence can be transcribed and translated in a host cell.

15. (Original) A recombinant expression construct effective in directing the transcription of a selected coding sequence, said expression construct comprising:

(a) a coding sequence;

(b) control elements that are operably linked to said coding sequence, wherein said control elements comprise the Intron A fragment of claim 9,

whereby said coding sequence can be transcribed and translated in a host cell.

16. (Original) A recombinant expression construct effective in directing the transcription of a selected coding sequence, said expression construct comprising:

(a) a coding sequence;

(b) control elements that are operably linked to said coding sequence, wherein said control elements comprise the Intron A fragment of claim 11,

whereby said coding sequence can be transcribed and translated in a host cell.

17. (Original) The recombinant expression construct of claim 14, wherein said control elements further comprise a promoter selected from the group consisting of an SV40 early promoter, a CMV promoter, a mouse mammary tumor virus LTR promoter, an adenovirus major late promoter, an RSV promoter, a SRα promoter, and a herpes simplex virus promoter.

18. (Original) The recombinant expression construct of claim 16, wherein said control elements further comprise the hCMV immediate-early (IE1) enhancer/promoter region found at nucleotide positions 460 to 1264 of Figure 2, and said control elements further comprise Exon 2

of the 5'-UTR comprising the sequence of nucleotides depicted at positions 821-834, inclusive, of Figure 1A.

19. (Original) A host cell comprising the recombinant expression construct of claim 14.

20. (Original) A host cell comprising the recombinant expression construct of claim 15.

21. (Original) A host cell comprising the recombinant expression construct of claim 16.

22. (Original) A host cell comprising the recombinant expression construct of claim 18.

23. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) providing a population of host cells according to claim 19; and

(b) culturing said population of cells under conditions whereby said coding sequence of said recombinant expression construct is expressed, thereby producing said recombinant polypeptide.

24. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) providing a population of host cells according to claim 20; and

(b) culturing said population of cells under conditions whereby said coding sequence of said recombinant expression construct is expressed, thereby producing said recombinant polypeptide.

25. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) providing a population of host cells according to claim 21; and

(b) culturing said population of cells under conditions whereby said coding sequence of said recombinant expression construct is expressed, thereby producing said recombinant polypeptide.

26. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) providing a population of host cells according to claim 22; and

(b) culturing said population of cells under conditions whereby said coding sequence of said recombinant expression construct is expressed, thereby producing said recombinant polypeptide.

27. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) introducing the expression construct of claim 14 into a host cell; and

(b) causing expression of the coding sequence of said expression construct to produce the recombinant polypeptide.

28. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) introducing the expression construct of claim 15 into a host cell; and

(b) causing expression of the coding sequence of said expression construct to produce the recombinant polypeptide.

29. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) introducing the expression construct of claim 16 into a host cell; and

(b) causing expression of the coding sequence of said expression construct to produce the recombinant polypeptide.

30. (Withdrawn) A method of producing a recombinant polypeptide comprising:

(a) introducing the expression construct of claim 18 into a host cell; and

(b) causing expression of the coding sequence of said expression construct to produce the recombinant polypeptide.

31. (Withdrawn) A polynucleotide comprising the sequence depicted in Figure 5B.